

CONSTITUTION
JEFFERSON'S MANUAL
and
RULES OF HOUSE OF REPRESENTATIVES
OF THE UNITED STATES

Seventy-Eighth Congress
(1943)

*Full
Regulation*

(77th Congress, 2d Session, House Document No. 812)

Sec. 834, p. 384 - Rule XXI, sec. 2.

"No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, or be in order as an amendment thereto, for any expenditure not previously authorized by law, unless in continuation of appropriations for such public works and objects as are already in progress. Nor shall any provision in any such bill or amendment thereto changing existing law be in order, except such as being germane to the subject matter of the bill shall retrench expenditures by the reduction of the number and salary of the officers of the United States by the reduction of the compensation of any person paid out of the Treasury of the United States, or by the reduction of amounts of money covered by the bill: Provided, That it shall be in order further to amend such bill upon the report of the committee or any joint commission authorized by law or the House Members of any such commission having jurisdiction of the subject matter of such amendment, which amendment being germane to the subject matter of the bill shall retrench expenditures."

Sec. 844, p. 390. Legislation on appropriation bills.

"The provision of the rule forbidding in any general appropriation bill a 'provision changing existing law' is construed to mean the enactment of law where none exists. (IV, 3812, 3813). Existing law may be repeated verbatim in an appropriation bill (IV, 3814, 3815), but the slightest change of the text causes it to be ruled out (IV, 3817). The reenactment from year to year of a law intended to apply during the year of its enactment only is not relieved, however, from the point that it is legislation (IV, 3822). A provision proposing to construe existing law is in itself a proposition of legislation and therefore not in order (IV, 3936-3938). Also a proposition to change a rule of the House is subject to point of order (IV, 3819). The object to be appropriated for may be described without violating the rule (IV, 3864). Propositions to establish affirmative directions for executive officers (IV, 3854-3859) even in cases where they may have discretion under the law so to do (IV, 3853), or to take

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away an authority or discretion conferred by law (IV, 3862, 3863), are subject to the point of order. Limits of cost for public works may not be made or changed (IV, 3581, 3761, 3865-3867) or contracts authorized (IV, 3868-3870).

"In rare instances the House, by agreeing to a report from the Committee on Rules or by adopting an order under suspension of the rules (IV, 3845) has authorized legislation on general appropriation bills (IV, 3260-3263, 3839-3844). The principle seems to be generally accepted that the House proposing legislation on a general appropriation bill should recede if the other House persists in its objection (IV, 3904-3908). A paragraph which proposes legislation being permitted to remain may be perfected by a germane amendment (IV, 3823-3835, 3838), but this does not permit an amendment which adds additional legislation (IV 3836, 3837, 3862). (Chairman Underwood, May 3, 1912, p. 5847). And where a Senate Amendment proposes legislation the same principle holds true (IV, 3836-3838, 3862)."

House Rule XI, sec. 3. "To appropriation of the revenue for the support of the government--to the Committee on Appropriations."

Sec. 679....."While the committee has authority to report appropriations, the power to report legislation relating thereto belongs to other committees (IV, 4033).

Cannon's Precedents, Vol. VII, sec. 1116. "The general appropriation bills are not enumerated or defined by the rules. The Committee on Appropriations, having sole jurisdiction of appropriations for support of the Government may report for that purpose such general appropriation bills, as in its judgment, best expedite the work of the committee and the House".

* References cited in Volume 4 are from Hind's Precedents. Any references to Volume 7 used hereafter in these notes are to Cannon's Precedents.